

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET SW
WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

ENGINEER: CHARLES N. (NORM) MILLER
TELEPHONE: (202) 418-2767
FACSIMILE: (202) 418-1410
E-MAIL: charles.miller@fcc.gov

July 24, 2008

Fred Hannel
F. W. Hannel & Associates
10733 East Butherus Drive
Scottsdale, AZ 85255

Re: Roy E. Henderson
KULF(FM), Ganado, Texas
Facility Identification Number: 27619
Special Temporary Authority

Dear Mr. Hannel:

This is in reference to the request filed July 22, 2008, on behalf of Roy E. Henderson ("REH"). REH requests special temporary authority ("STA") to operate Station KULF with temporary facilities.¹ In support of the request, REH states that Station KULF has lost its licensed site and has been silent since July 26, 2007, and thus faces the loss of its license if it does not resume operation by July 26, 2008. REH states that it has an application pending for improved facilities, and requests STA for operation with temporary facilities in order to preserve the license pending Commission action on its application.

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service² to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area³ without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review indicates that the proposed STA operation complies with the foregoing criteria.

Accordingly, the request for STA IS HEREBY GRANTED. Station KULF may operate with the following facilities:

Geographic coordinates:	29° 2' 14" N, 96° 30' 38" W (NAD 1927)
Channel	284 (104.7 MHz)

¹ KULF is licensed for operation on Channel 284C2 (104.7 MHz) with effective radiated power of 50 kilowatts (H&V) and antenna height above average terrain of 140 meters.

² For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

³ For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

Effective radiated power:	0.4 kilowatt (H&V)
Antenna height:	
above ground:	10 meters
above mean sea level:	29 meters
Above average terrain:	13 meters

REH must notify the Commission when licensed operation is restored. REH must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310. The authority granted herein is without prejudice as to the Commission's action on Application BPH-20060407AAE. Any construction undertaken pursuant to this authority is entirely at REH's own risk.

This authority expires on **January 24, 2009**.

Notwithstanding the grant of this STA or the expiration date specified herein, **the station's license will expire as a matter of law if it does not resume broadcasting on or before July 26, 2008**. *See* Pub. Law No. 104-104, 110 Stat. 56, Section 403(1) (1996) and *Order, Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). *See also Public Notice*, Expedited Processing of Applications Filed by Silent Stations, DA 96-818 (May 22, 1996). **The licensee must notify the Audio Division immediately upon resumption of broadcasting.**

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

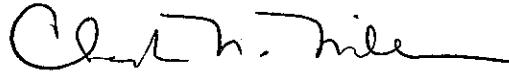
Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or

- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles N. Miller". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Roy E. Henderson